

REMARKS

The paper is in response to the Office Action mailed December 18, 2008 ("the Office Action"). The foregoing amendment cancels claims 1, 12-14, 17, and 18 and amends claims 11. Claims 2-11, 15, 16, and 19-24 are now pending in view of the amendments. Applicants respectfully request reconsideration of the application in view of the above amendments to the claims and the following remarks. For Examiner's convenience and reference, Applicants present remarks in the order that the Office Action raises the corresponding issues.

In connection with the prosecution of this case and any related cases, Applicants have, and/or may, discuss various aspects of the disclosure of the cited references as those references are then understood by the Applicants. Because such discussion could reflect an incomplete or incorrect understanding of one or more of the references, the position of the Applicants with respect to a reference is not necessarily fixed or irrevocable. Applicants thus hereby reserve the right, both during and after prosecution of this case, to modify the views expressed with regard to any reference.

Please note that Applicants do not intend the following remarks to be an exhaustive enumeration of the distinctions between any cited references and the claims. Rather, Applicants present the distinctions below solely by way of example to illustrate some of the differences between the claims and the cited references. Finally, Applicants request that Examiner carefully review any references discussed below to ensure that Applicants' understanding and discussion of any reference is consistent with Examiner's understanding.

Unless otherwise explicitly stated, the term "Applicants" is used herein generically and may refer to a single inventor, a set of inventors, an appropriate assignee, or any other entity or person with authority to prosecute this application.

Allowable Subject Matter

The Office Action rejects claims 11, 12, and 15. The Office Action indicates that claim 13 is directed to patentable subject matter. In the interests of expediting prosecution and without conceding Examiner's contention that claims 11, 12, or 15 are anticipated or obvious, Applicants herein amend claim 11 to incorporate elements similar or identical to some or all of the elements

of claim 13 including any intervening claims, rendering Examiner's rejection moot. Applicants therefore respectfully request that Examiner withdraw the rejection of claims 11 and 15.

Allowed Subject Matter

The Office Action acknowledges that claims 2-10, 16, and 19-24 are directed to allowable subject matter. Applicants thank Examiner for the careful review and allowance of those claims. Applicants agree with Examiner that claims 2-10, 16, and 19-24 are patentable, but respectfully disagree with Examiner's statement of reasons for allowance as set forth in the Office Action. Applicants submit that it is the claim as a whole, rather than any particular element, that makes each of the claims allowable. No single element should be construed as the reason for allowance of a claim because it is each of the elements of a claim that makes it allowable. Therefore, Applicants do not concede that the reasons for allowable subject matter given by the Examiner are the only reasons that make, or would make, the claims allowable and do not make any admission or concession concerning the Examiner's statement in the Office Action.

Charge Authorization

The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to Deposit Account No. 23-3178: (1) any filing fees required under 37 CFR § 1.16; (2) any patent application and reexamination processing fees under 37 CFR § 1.17; and/or (3) any post issuance fees under 37 CFR § 1.20. In addition, if any additional extension of time is required, which has not otherwise been requested, please consider this a petition therefor and charge any additional fees that may be required to Deposit Account No. 23-3178.

CONCLUSION

In view of the foregoing, Applicants submit that the pending claims are allowable. In the event that Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview or overcome by an Examiner's Amendment, Examiner is requested to contact the undersigned attorney.

Dated this 3rd day of March, 2009.

Respectfully submitted,

/David A. Jones/ Reg. 50,004

DAVID A. JONES
Registration No. 50,004
Attorney for Applicant
Customer No. 22913
Telephone No. (801) 533-9800

DAJ:jbh
2296364_1